

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
v.)
) Crim. No. 04-10298-DPW
MARKO BOSKIC)
 Defendant)

GOVERNMENT'S ASSENTED-TO, NUNC PRO TUNC MOTION
TO CONTINUE PRETRIAL CONFERENCE FROM JUNE 9, 2005
UNTIL JULY 21, 2005

The United States Attorney, by and through the undersigned Assistant United States Attorney (the "government"), hereby moves the Court to continued the Pretrial Conference of this matter from June 9, 2005 until July 21, 2005. As grounds therefor, the government states as follows:

1. The Court issued its Scheduling Order regarding the Pretrial Conference on June 3, 2005. Apparently, Assistant U.S. Attorney Jeffrey Auerhahn did not receive the message before departing the office that day. Later that weekend, Mr. Auerhahn began a period of official travel until as late as June 21, 2005. He does not have access to e-mail during that time, leading the undersigned to conclude that he was not aware of the scheduled Pretrial Conference. Assistant U.S. Attorney Kimberly West is on maternity leave and out of state, and had also not seen the notice of electronic filing.

2. The undersigned first became aware of the scheduled Pretrial Conference shortly after 3:30 p.m. on June 8, 2005 upon opening the Court's calendar for June 9.
3. Aside from Mr. Auerhahn and Ms. West, the undersigned believes that there is no Assistant U.S. Attorney who can respond thoroughly to any issues the government expects to arise in connection with the anticipated trial.
4. Undersigned counsel has consulted with the Court's Courtroom Clerk and it appears that July 21, 2005 is a convenient date for the Court.
5. Accordingly, the government requests that the Pretrial Conference for this matter be continued June 9, 2005 until July 21, 2005, and further request that the Court find that the interests of justice outweigh the interests of the Defendant and the public in a speedy trial, and exclude the forty-one (41) day period from June 9, 2005 up to and including July 20, 2005, all pursuant to 18 U.S.C. §3161(h)(8)(A) and § 5(c)(1)(A)

6. of the Plan for Prompt Disposition of Criminal Cases of
this Court.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

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Date: June 10, 2005